

AN ORDINANCE 100788

**CLOSING, VACATING AND ABANDONING PORTIONS OF IMPROVED DAKOTA, ALPS AND NEVADA STREETS PUBLIC RIGHT OF WAY ADJACENT TO NCBS 616 AND 623 IN COUNCIL DISTRICT 2 FOR THE REDEVELOPMENT OF NEW HOUSING TO FACILITATE PHASE III OF THE HISTORIC GARDENS HOUSING DEVELOPMENT MASTER PLAN, AS REQUESTED BY THE SAN ANTONIO DEVELOPMENT AGENCY, FOR THE CONSIDERATION OF \$10,137.00, WHICH INCLUDES A FIFTY PERCENT (50%) REDUCTION OF THE CLOSURE FEE AS PROVIDED BY THE CITY'S INCENTIVE SCORECARD.**

\* \* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Subject to the reservation of Section 2, the City finds the tracts described in **Exhibits A, B, C, D, E, and F** are surplus to its needs and hereby closes, vacates, and abandons them. Exhibits A, B, C, D, E, and F are incorporated by reference into this ordinance for all purposes as if fully set forth.

**SECTION 2.** This ordinance does not release any public rights in the subject tracts for drainage, water and wastewater lines, electric transmission lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tracts.

**SECTION 3.** The City Manager or his designee is authorized and directed to execute and deliver all documents and to do all other things necessary or convenient to reflect this closure, abandonment, and vacation.

**SECTION 4.** The Letter Agreement, attached as **Exhibit G** and incorporated by reference for all purposes as if it were fully set forth, on the basis of which the City agreed to take the action effected by this ordinance is hereby in all things ratified and approved.

**SECTION 5.** Funds in the amount of \$10,137.00 will be deposited into Fund 29027000 entitled, "Special Revenue Reserve Fund", Internal Order Number 224000000010 and General Ledger 4903101 entitled, "Sale-Land".

**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 7.** This ordinance shall become effective May 15, 2005, unless it receives the eight votes requisite to immediate effectiveness under City Code of San Antonio § 1-15, in which case it shall be effective immediately.

**PASSED AND APPROVED** this 5<sup>th</sup> day of May, 2005.



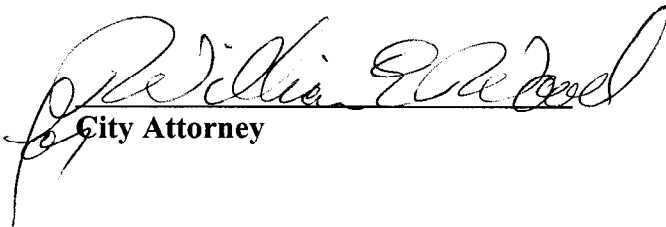
M A Y O R

EDWARD D. GARZA

**ATTEST**

  
City Clerk

**APPROVED AS TO FORM:**

  
City Attorney

# Agenda Voting Results

**Name:** 6B.

**Date:** 05/05/05

**Time:** 03:04:30 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance closing, vacating and abandoning portions of improved Dakota, Alps and Nevada Streets Public Right of Way adjacent to NCBs 616 and 623 in Council District 2 for the redevelopment of new housing to facilitate Phase III of the Historic Gardens Housing Development Master Plan, as requested by the San Antonio Development Agency, for the consideration of \$10,137.00, which includes a fifty percent (50%) reduction of the closure fee as provided by the City's Incentive Scorecard.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7	Not present			
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR ED GARZA	MAYOR	Not present			